



Attorney Docket No.: 56301P478

THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5  
NDB  
1-24-02

In re Application of:

Joseph J. Chang

Examiner: Hayes, M.

Serial No.: 09/469,738

Art Unit: 3763

Filed: December 21, 1999

For: **SAFETY CATHETER WITH  
TORTUOUS FLUID PATH**

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TECHNOLOGY CENTER R3700

TERMINAL DISCLAIMER

Box Fee Amendments  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The owner, Johnson & Johnson Corporation, is the owner of 100 percent interest in the above-referenced application ("subject application"). Owner hereby disclaims, except as provided below, the terminal part of the statutory term of the subject application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,210,379B1 issued on 4/3/2001 (the "prior patent"), as shortened by any terminal disclaimer filed in the prior patent application. Owner hereby agrees that the subject patent shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Owners do not disclaim the terminal part of the subject patent that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, in the event that the prior

patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN

Dated: December 12, 2001

By: Thomas Coester  
Thomas M. Coester, Reg. No. 39,637

**CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited as First Class Mail with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on December 12, 2001.

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Lillian E. Rodriguez 12-12-01  
Lillian E. Rodriguez December 12, 2001